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10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA)	Case No.: 2:09-cr-00132
)	
13 Plaintiff,)	
)	UNOPPOSED MOTION TO MODIFY
)	RELEASE CONDITIONS AS TO
)	DEFENDANT MELISSA SPOONER
)	DUE TO FAMILY EMERGENCY
14 vs.)	
)	
15 MELISSA SPOONER,)	
)	
16 Defendant.)	
)	

17 Defendant MELISSA SPOONER, by and through her counsel, Mace J. Yampolsky, Esq.,
18 hereby moves to have her release conditions modified due to the impending death of her mother
19 in Virginia. Mrs. Spooner has been in failing health for some time but the situation has only
20 recently become so dire as to warrant request of the foregoing modification. Defendant
21 desperately wants to see her mother again before such time as she passes as a result of her
22 medical conditions

23 Previously, the Court imposed pre-trial release conditions on defendant Melissa Spooner.
24 These conditions included restricting her travel to Nevada and Pennsylvania.
25

1 On November 23, 2012, defendant notified her co-counsel Bart Stapert, Esq. that her
2 stepmother has had a liver transplant which has taken a turn for the worse. According to
3 defendant, her stepmother is on life support. Defendant seeks permission to travel to Virginia to
4 support her father and sister.

5 Counsel has conferred with Assistant U.S. Attorney Michael Chu who confirmed that the
6 United States does not object to modifying defendant's conditions to allow her to travel to
7 Virginia.

8 Further, defendant's supervising pre-trial services officer Terry Wheaton has confirmed
9 that defendant has complied with all of her pre-trial release conditions. Officer Wheaton also
10 confirmed that he too has no objection to this motion.

11 In sum, Defendant asks for permission and prior authorization to travel in the coming
12 days/weeks, or as soon as this Request is approved, to visit her ailing mother in Virginia. She will
13 check in with Pre-trial Services as directed.

14 DATED this ____ day of November, 2012.

15 <S>

16 _____
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20 **Counsel for Defendant**
21 Melissa Spooner
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA)
)
Plaintiff,)
vs.)
)
)
)
MELISSA SPOONER,)
)
Defendant.)
_____)

Case No.: 2:09-cr-00132

~~PROPOSED~~ ORDER GRANTING
REQUEST FOR MODIFICATION OF
RELEASE CONDITIONS

ORDER

IT IS THEREFORE ORDERED that:

1. The Defendant's request to modify her release conditions to enable her to travel to Virginia and visit with her dying mother is hereby granted.

DATED this 28th day of November, 2012.

IT IS SO ORDERED.


United States Magistrate Judge